

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: JAN 14 2013

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

WILLIAM CHAVIS,
JUSTIN GENSEL, and
KEVIN MATHERSON,

Defendants.

: INDICTMENT

1:13 CRIM 027

COUNT ONE

The Grand Jury charges:

1. Beginning in or about August 2010 through in or about May 2012, in the Southern District of New York and elsewhere, WILLIAM CHAVIS, JUSTIN GENSEL, and KEVIN MATHERSON, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that WILLIAM CHAVIS, JUSTIN GENSEL, and KEVIN MATHERSON, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances involved in the offense were mixtures and substances containing a detectable amount of (i)

JUDGE ENGELMAYER

1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole, commonly referred to as UR-144, and (ii) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole, commonly referred to as AM-2201, both of which are controlled substance analogues, as defined in 21 U.S.C. § 802(32), intended for human consumption and treated as controlled substances in Schedule I, in violation of 21 U.S.C. §§ 813 and 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense charged in Count One of this Indictment, WILLIAM CHAVIS, JUSTIN GENSEL, and KEVIN MATHERSON, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of this Indictment.

Substitute Assets Provision


5. If any of the above-described forfeitable property, as a result of any act or omission of WILLIAM CHAVIS, JUSTIN GENSEL, and KEVIN MATHERSON, the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON


PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
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KEVIN MATHERSON,

Defendants.

INDICTMENT

12 Cr.

(21 U.S.C. § 846, 853)

PREET BHARARA

United States Attorney.

A TRUE BILL

Kathleen Senech
Foreperson.

1/14/2013 - INDICTMENT FILED,
G.C.
CASE ASSIGNED TO JUDGE ENGELMAYER
FOR ALL PURPOSES.

FOX, USM-15.